



Environmental Protection Unit - no objections. A noise insulation condition should be added due to concerns about an increase in internal noise created by the development.

City Development and Transport - Policy H8 permits conversion of a single dwellinghouse to flats if, inter alia, the house has four bedrooms. The house on the site has only three bedrooms. Extending the house as shown, prior to considering an application for conversion to flats would provide a fourth bedroom, thereby complying with policy H8. Whether the extension and conversion should be considered concurrently is a matter for DC officers.

### 3.2 External

Hull Road Planning Panel - Objection. Overdevelopment, visual amenity, no external access to one of the garden areas, inadequate off-street parking

Public Consultation - The consultation period expired on 17 July 2007. 11 letters of objection have been received from six objectors. They raise the following planning issues: Overdevelopment; design out of keeping with street scene; inadequate amenity space for occupiers; noise and general disturbance; overbearing impact on adjacent occupiers; overshadowing; inadequate parking; highway safety; inadequate access to cycle storage.

## 4.0 APPRAISAL

### 4.1 Key Issues

Principle of conversion to flats

Overdevelopment

Visual appearance

Occupier and neighbour amenity

Parking and cycle storage

Highway safety

Provision of open space

Provision of refuse facilities

### 4.2 The Application Site

2-storey, hip-roofed, semi-detached single dwellinghouse with attached flat-roofed garage to side. The site lies at the turning head of a cul-de-sac of approximately 14 dwellings in a suburban residential area. The ground level of the site is approximately 600mm above the ground level of plots to the north and east.

### 4.3 Principle of Conversion to Flats

Policy H8 allows the conversion to flats of dwellings of four bedrooms or more that, inter alia, are sufficiently large for the number of households proposed. The application site comprises a three bedroom house (currently configured for two bedrooms) that is capable of enlargement to provide four bedrooms. Whilst planning permission has not been sought solely to enlarge the house officers consider that to refuse permission for conversion due to the house currently having only three bedrooms would be unreasonable. However, in order for the conversion to be acceptable the proposals would have to accord with the other criteria in policy H8 as well as policy H7.

#### 4.4 Overdevelopment

The extension would be 3.45m by 7.9m. Whilst the extension would be fairly large in relation to the existing dwelling the extension is no wider than the existing garage and would not extend as far as the side boundary of the site. The 2-storey element of the extension would project 1.6m beyond the rear elevation of the existing house and a 0.9m-deep, single-storey projection would be added at the front. The size of the works would not, in the view of officers, amount to overdevelopment.

#### 4.5 Visual Appearance

The front elevation and ridge height would be subordinate to the existing house and the general design of the extension would be in keeping with the character of the building/area. The extension would lie, on average, 0.8m from the side boundary with No.32 and 1.7m from the adjacent house. These distances are sufficient to prevent a terracing effect in the street, particularly as the house is set well back from No.32 and the site is in a relatively-secluded part of Carlton Avenue.

#### 4.6 Occupier and Neighbour Amenity

The internal living space is sufficient for two flats. Each flat would have a part of the rear garden for use as private amenity space. Whilst these areas would each be relatively small this is insufficient reason to justify refusal.

One flat would occupy the ground floor, the second would occupy the first floor. The dining and lounge area of both flats would abut the party wall to the neighbouring property at No.28. This arrangement could affect the amenity of the occupiers of No.28, particularly due to the proximity of the dining/lounge area of the upper flat to the neighbouring bedroom(s). Such potential noise nuisance could be mitigated by the provision of adequate soundproofing, which should be made a condition of approval.

The use of the upstairs rooms as daytime living accommodation could increase the likelihood of properties to the rear being overlooked from existing windows. In particular, the nearest dwelling at No.17 Wolviston Avenue, which is a bungalow with a side conservatory. The nearest part of the dwelling at No.17 would be at least 18m from the daytime windows of the proposed flats. One window would be to a kitchen (currently a bedroom) and the others would be secondary windows to a dining room (currently a bedroom). The increase in overlooking caused by the rearrangement of rooms is likely to be minor. The side extension at first-floor level would include a new bedroom window, which would face the rear of No.17 Wolviston Avenue. The use of this bedroom is unlikely to cause significant overlooking to the occupiers of No.17.

The side elevation of the adjacent house at No.32 Carlton Avenue would be approximately 1.7m from the side elevation of the enlarged house. Neither property has any side windows so the works would cause no overlooking. However, the new extension would project approximately 1.6m beyond the rear elevation of No.32. The rear of No.32 faces north-east so the proposed extension would cause some loss of direct sunlight to No.32's rear garden. Nevertheless, the loss is unlikely to be significant and is not sufficient to justify refusal, despite the 0.6m difference in site level. The scale and proximity of the extension to No.32 are unlikely to have an overbearing impact on the adjacent occupiers.

#### 4.7 Parking and Cycle Storage

Residents are concerned that the additional dwelling unit would increase existing parking problems in the vicinity of the turning head in front of the site. Turning heads often have parking problems due to the number of dwellings fronting onto a relatively-small area of public highway. Whilst the additional dwelling may increase parking problems in the immediate vicinity of the site this is insufficient reason to justify refusal. The application includes two useable parking spaces and therefore complies with the council's standards. In addition, an easily-accessible shed to the rear of the house would be used for cycle storage. This should be made a condition of planning permission.

#### 4.8 Highway Safety

Residents are concerned that the additional dwelling unit would increase traffic movements in the area to the detriment of highway safety. Whilst traffic movements may increase, the impact on highway safety is likely to be negligible.

#### 4.9 Public Open Space.

An open space contribution of £1242 would be required for the provision of public open space in accordance with policy L1 of the local plan.

#### 4.10 Refuse Facilities

The application does not include proposals for refuse and recycling facilities. Provision of these facilities should be made a condition of approval.

### 5.0 CONCLUSION

5.1 The proposal accords with relevant policies of the City of York Local Plan Deposit Draft and is acceptable.

### COMMITTEE TO VISIT

**6.0 RECOMMENDATION:** Approve

1 TIME2 Development start within three years

2 VISQ1 Matching materials

3 HIGHWAY 6

4 The development hereby permitted shall be carried out only in accordance with the approved plans numbered 108/CL/BT-01 received 1 June 2007 or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

5 The floors and walls between each of the proposed flats and the adjacent

dwellings shall be so adapted as to achieve a reasonable resistance to airborne / impact sound. Insulation shall be in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works. Details of the floor and ceiling construction and proposed sound insulation measures, together with a composite sound reduction index for the new floor/ceiling will be required. The development shall be undertaken in accordance with the agreed submitted scheme.

Reason: To ensure a satisfactory standard of residential amenity for future occupiers.

6 PD5 No openings in side elevation

7 Notwithstanding the approved plans no development shall take place until details (including location, dimensions and materials) of refuse/recycling enclosures for the proposed dwellings on the site have been submitted to and approved in writing by the local planning authority. The enclosures shall be provided in accordance with the approved details before the dwelling hereby approved, retained and used for no other purpose except with the written consent of the local planning authority.

Reason: In the interests of sustainability and visual amenity.

8 No development shall commence unless and until details of provision for public open space facilities or alternative arrangements have been submitted to and approved in writing by the local planning authority. The open space shall thereafter be provided in accordance with the approved scheme or the alternative arrangements agreed in writing by the local planning authority and thereafter implemented, prior to first occupation of the development.

Reason: In order to comply with the provisions of Policy L1 of the City of York Draft Local Plan.

**INFORMATIVE:**

The alternative arrangements of the above condition could be satisfied by the completion of a planning obligation made under section 106 of the Town and Country Planning Act 1990 by those having a legal interest in the application site, requiring a financial contribution towards off site provision of open space. The obligation should provide for a financial contribution calculated at £1242.

No development can take place on this site until the public open space has been provided or the Planning Obligation has been completed and you are reminded of the local planning authority's enforcement powers in this regard.

**7.0 INFORMATIVES:**

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